IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 12TH JULY 2007 / 61ST ASHADHA 1929

WP(C).No. 21409 of 2007(W)

PETITIONER:

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1. BALAN, S/O KRISHNAN, AGED 75 YEARS
THALAKKATT HOUSE, MUTHUVATTOOR,
CHAVAKKAD, THRISSUR DISTRICT

2. SAROJINI, W/O BALAN, AGED 62 YEARS
THALAKKAT HOUSE, MUTHUVATTOOR
CHAVAKKAD, THRISSUR DISTRICT

BY ADV. SRI.P.RAMACHANDRAN

RESPONDENTS:

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1. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES/ARBITRATOR-CUM-SPECIAL
SALE OFFICER, THRISSUR DISTRICT
CO-OPERATIVE BANK LTD, KURUPPAM ROAD
THRISSUR

2. THE BRANCH MANAGER, THRISSUR DISTRICT
CO-OPERATIVE BANK LTD, CHAVAKKAD
BRANCH, P.O. CHAVAKKAD, THRISSUR DISTRICT

BY GOVT.PLEADER SMT.ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 21409 OF 2007 W

Dated this the 12th July, 2007

JUDGMENT

The only prayer pressed by the learned counsel for the petitioners is that the petitioners may be given time to pay off the amounts due and the sale proceedings may not be proceeded with so as to facilitate payment. Heard the learned counsel appearing for the second respondent Bank also. The Writ Petition is disposed of as follows:

If the petitioners pay a sum of Rs.20,000/= within a period of two weeks from today and remit the balance amount remaining to be paid with interest within a period of two months from today, recovery proceedings shall not be taken against the petitioners. The respondent Bank will serve a Statement on the petitioners within three weeks from today, showing the balance amount to be paid by the petitioners after they pay Rs.20,000/=. If the petitioners do not pay Rs.20,000/= as aforesaid or if they do not pay the balance amount within two months as aforesaid,

respondent Bank will be free to proceed against the petitioners in accordance with law. Proceedings initiated against the petitioners as evident from Exts.P4 and P5 shall be kept in abeyance, if the petitioners comply with the aforesaid conditions.

K. M. JOSEPH, JUDGE

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